

Appl. No. : 10/759,736
Filed : January 16, 2004

REMARKS

With this amendment, Claims 2-4, 7-8, 10-11, 13-14, 16, 18, 20-21, 23-25, 27, and 29-33 are pending in the present application. Claims 1, 5-6, 9, 12, 15, 17, 19, 22, 26 and 28 have been canceled. Claims 2, 4, 7-8, 10-11, 13-14, 16, 18, 20-21, 23-25, 27, 29-31, and 33 have been amended. In view of the above amendments and the following remarks, the Applicant respectfully requests reconsideration and allowance of the present application.

Claim Rejections – 35 U.S.C. § 112

The Examiner rejected Claims 1-33 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention. Particularly, the Examiner suggested that with respect to Claims 1, 12, 22, and 33, the Applicant use the phrase “adapted to” when referring to the unclaimed vehicle-truck and its associated components. The Examiner also indicated that Claims 4, 13, 14, 23, and 24 recite similar ambiguities. The Applicant has adopted the Examiner’s suggestion and amended the claims accordingly.

With respect to Claim 11, line 2, the Examiner indicated that it is unclear as to the number of attachment assemblies required. The Applicant has amended Claim 11 so that it now recites attachment assembly as opposed to attachment assemblies.

With respect to Claim 22, the Examiner indicated that there appears to be no illustration of the ladder pivoted sideways in a deployed configuration/orientation. The Applicant respectfully disagrees with the Examiner and would like to refer the Examiner to Figure 6 of the drawings in which reference number 244 schematically illustrates the sideways pivot of the ladder. Further, the Examiner questioned whether the deployed orientation of line 7 is the same as the deployed configuration of line 9 of Claims 22. The Applicant respectfully submits that the deployed orientation and deployed configuration recited in Claim 22 refer to the same configuration. The Applicant has amended the claim accordingly.

With respect to Claim 33, the Examiner indicated that there is no antecedent basis for the third pivot recited in line 13. Accordingly, the Applicant has amended Claim 33 so that the third pivot now has antecedent support. In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw this rejection.

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Claim Rejections – 35 U.S.C. §102

Claims 1-7, 9, 12-17, 22-28 and 30 are rejected under 35 U.S.C. §102(b) as being anticipated by Elia (US 5,617,930). However, the Examiner indicated that Claims 8, 10, 11, 18, 20, 21, 29, 31, and 32 would be allowable if rewritten in independent form including all of the limitations of the base claim, any intervening claims, and rewritten to overcome the Section 112 ambiguities as noted above. While the Applicant respectfully disagrees with the Examiner that these claims are anticipated by the Elia reference, in an effort to expedite prosecution of this application, the Applicant has rewritten the allowable claims so that they now incorporate all of the limitations of the base claim and any intervening claims. The Applicant has also rewritten the remaining claims so that they now depend from one of the allowable claims. The Examiner also provided the primary reasons for allowability of the subject matter in these claims. The Applicant respectfully submits that there are additional and different features in these claims that render them allowable which are not included in the Examiner's reasons for allowability.

CONCLUSION

In view of the foregoing, the Applicant respectfully submits that all pending claims of the present application are in condition for allowance, and such action is earnestly solicited. Should there by any impediment to the prompt allowance of this application that could be resolved through a telephone conference, the Examiner is respectfully requested to call the undersigned at the number shown below. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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